

OGC HAS REVIEWED.

Mr. Roger W. Jones
Assistant Director
Legislative Reference
Bureau of the Budget
Washington 25, D. C.

Dear Mr. Jones:

In your letter of 17 October 1950 you request comments of this Agency with respect to a proposed Executive Order entitled "Authorizing the Civil Service Commission to Adopt Special Procedures in Connection with National Defense Expansion". We have studied the proposed Executive Order and the letter of October 3 from the Civil Service Commission and find that certain problems are raised which possibly are peculiar to this Agency.

Of particular concern is the statement in the Commissioner's letter that the emergency employees will, for the most part, be covered by the Social Security System. This will pose a serious security problem to this Agency which does not arise in connection with the Retirement System. Under normal circumstances, this and other problems might be worked out under the wording of the proposed Executive Order, but the appointments about which we are concerned would be those most highly classified and which we would be reluctant to discuss in detail outside the Agency.

We feel, therefore, that we could approach the Civil Service Commission on a more practical basis if the Commission could deal with circumstances rather than with individual cases. We feel this viewpoint may have been intended by the Commission in view of paragraph 2, on page 2, of their letter which states that the Commission has authority "in unusual circumstances to permit permanent appointments to highly specialized positions."

We recommend, therefore, that Section 1 of the proposed Executive Order be amended to strike out after the words

See Ex Order 10150

See P.L. 843; 81st Cong, 2nd Sess.

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"post offices", in line 6 of that paragraph, the phrase "and appointments to highly specialized" and insert in place thereof the phrase "and, in unusual circumstances,". With this wording we believe there would be no difficulty in achieving a satisfactory resolution of our problems with the Civil Service Commission.

Very truly yours,


Acting Executive

STATINTL

LHHouston/all
(Legal Staff)

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cc: Central Records
cc: Signer's copy
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